



# **Seattle Human Rights Commission**

Established 1963

## **Resolution #12-06: Support for Temporary Protected Status for Guatemalans**

**WHEREAS**, all people are born free and equal in dignity and rights; and

**WHEREAS**, the City of Seattle was declared to be a Human Rights City in December 10, 2012, committing itself to protect, respect and fulfill the full range of universal human rights for all, as set forth in the Universal Declaration of Human Rights (UDHR) and numerous international human rights treaties that serve as a framework for protection; and

**WHEREAS**, the Seattle Human Rights Commission (the Commission) is committed to protecting and advocating for justice, human rights, and the equal treatment of all people who live and work in Seattle, independent of their immigration status; and

**WHEREAS**, the Commission work plan includes the support and encouragement of government agencies at the local, state and federal levels to implement international human rights principles within their capacities to guarantee protection of vulnerable populations; and

**WHEREAS**, the nation of Guatemala, with a population of approximately 14.1 million, has been severely ravaged by a series of natural disasters in the last decade, including floods, mudslides, volcano eruptions, and tropical depressions. Hurricane Agatha, in 2005, one of the biggest national disasters in the country's history, was followed in 2012 by a 7.4 magnitude earthquake which damaged thousands of homes and businesses, halted essential public services, killed at least 52 people, and left hundreds still missing; and

**WHEREAS**, the United States deported a record number - over 391,000 - of non-citizens in 2011, 93% of whom were from Mexico, Guatemala, Honduras and El Salvador, and the United States is on track to deport a similar number in 2012; and

**WHEREAS**, the United States increased deportations of Guatemalans by 14% so far this year; and

**WHEREAS**, the United States has an obligation to ensure the human rights of all immigrants, documented and undocumented alike; this includes the rights to personal liberty, to humane treatment, to the minimum guarantees of due process, to equality and nondiscrimination and to protection of private and family life; and



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**WHEREAS**, the Inter-American Court of Human Rights in its Advisory Opinion on the Juridical Condition and Rights of the Undocumented Migrants, in light of the international obligations arising from the International Covenant on Civil and Political Rights and other obligations of an *erga omnes* nature, described the basic principles of human rights that must inform the immigration policies of the OAS member states, highlighting the need to respect for human dignity.

**WHEREAS**, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families establishes in article 56, part 3 that “[i]n considering whether to expel a migrant worker or a member of his or her family, account should be taken of humanitarian considerations”, among others; and

**WHEREAS**, on International Migrants Day, December 18, 2012, UN Experts on the Human Rights of Migrants; the Rapporteur on the Rights of Migrants of the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS); and the Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons of the African Commission on Human and Peoples' Rights (ACHPR) of the African Union (AU), issued a joint statement calling on States to ratify human rights treaties and “guarantee that their policies, laws and practices on migration conform to their international human rights obligations”; and

**WHEREAS**, Guatemalan President Otto Pérez Molina, after the November 7th earthquake, requested President Obama to grant Temporary Protected Status (TPS) to people from Guatemala, in order to allow his country to better recover from these natural disasters without the additional challenge of dealing with the repatriation of thousands of their countrymen; and

**WHEREAS**, the Secretary of the Department of Homeland Security has the authority to designate a country for TPS under Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) when the country is unable to manage the return of its nationals because of environmental disasters such as earthquakes or hurricanes; and

**WHEREAS**, the United States has already granted TPS to people from El Salvador, Honduras, Nicaragua, and Haiti after natural disasters struck those countries, and the conditions in Guatemala meet the requirements necessary for TPS designation; and



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**WHEREAS**, there is strong support in the United States for granting TPS status to Guatemala as evidenced by the 25,000 signatures already gathered in support of the request at the White House's website "*We the people. Your voice in Government*"; and

**WHEREAS**, in June 2012, President Obama and Homeland Security Secretary Janet Napolitano announced Deferred Action for Childhood Arrivals a program which has so far allowed 100,000 young people to stay in the United States and avoid deportation; and

**WHEREAS**, granting TPS will enable Guatemalans living and working in Seattle, King County, and Washington State to obtain work authorization permits, to contribute effectively to their country's recovery and development, to help their families working towards recovery from disasters, which is especially important in light of the fact that 26% of Guatemalan families receive remittances from relatives in the U.S., and to improve and remediate the exceptionally difficult living conditions that these disasters have caused; and

**NOW THEREFORE BE IT RESOLVED**, that the Seattle Human Rights Commission hereby calls upon the President of the United States and the Secretary of Homeland Security to designate Guatemala and Guatemalans nationals for Temporary Protected Status, thus respecting their human dignity; and

**BE IT FURTHER RESOLVED**, that Commission further calls upon the Secretary of Homeland Security to promptly suspend deportations of Guatemalan nationals.

Adopted by the Seattle Human Rights Commission on December 31, 2012.

A handwritten signature in blue ink, appearing to read 'C Stearns', written over a horizontal line.

Christopher Stearns, Chairman

A handwritten signature in blue ink, appearing to read 'J Yogi', written over a horizontal line.

Jennifer Yogi, Secretary